

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TRUE RETURN SYSTEMS LLC,

Plaintiff,

v.

MAKERDAO,

Defendant.

Case No. 1-22-cv-8478-VSB

**DECLARATION OF JACK FONSS IN SUPPORT OF
PLAINTIFF'S EX PARTE MOTION FOR LEAVE TO SERVE
DEFENDANT MAKERDAO BY ELECTRONIC MEANS**

I, Jack Fonss, declare as follows:

1. I am over the age of 18 and am the owner of True Return Systems, LLC, the Plaintiff in this action.
2. I make this declaration based upon personal knowledge, and I could and would competently testify to the facts stated herein if called to do so.
3. In approximately September 2022, I performed a series of searches to identify entities or individuals to whom the Summons and Complaint in this action could be directed.
4. In that time frame, I conducted a good faith search of public resources in an attempt to identify any mailing address for Defendant, any registered agent for service of process, or any corporate officer. I was unable to identify any such information.
5. As part of this research, I searched the MakerDAO website (<https://makerdao.com>), the MakerDAO Blog (<https://blog.makerdao.com/>), and the MakerDAO Forum (<https://forum.makerdao.com/>). I also searched the MakerDAO repository on GitHub

(<https://github.com/makerdao>), and Twitter to identify the locations of individuals to which the Summons and Complaint could be directed. I did not identify any such individuals.

6. I further searched for business registrations throughout the U.S. under the names "MakerDAO" and "Dai," which is the securities ticker for MakerDAO's minted cryptocurrency. I did not find any business registration in the United States.

7. The MakerDAO website (<https://makerdao.com>) contains no contact address, no identification of management, no telephone number, and no conventional point of contact. The WHOIS entry for this website does not contain any unredacted information about the operator of the website.

8. I believe that my search efforts constituted a good faith effort to identify this information.

9. I have studied the MakerDAO website (<https://makerdao.com>) and confirm that that site links to the @MakerDAO Twitter account and the official MakerDAO forum at forum.makerdao.com, and also provides an email address for support inquiries, support@makerdao.com.

10. I observed the MakerDAO Forum during the September 2022 time period and observed that the Forum adds multiple contributions and posts each day, and all historical posts are readily searchable.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

DATED this 10th day of November 2022.



Jack Forss